IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

HODELL-NATCO INDUSTRIES, INC.)	CASE NO. 1:08 CV 2755
Plaintiff,)	JUDGE WELLS
v.)	UNOPPOSED MOTION TO
)	EXCEED PAGE LIMITATION
SAP AMERICA, INC., et al.)	
)	
Defendants.)	
)	

Defendants SAP America, Inc. and SAP AG (collectively "SAP"), by and through their undersigned attorneys, hereby request that the Court enter an order, in the form of the proposed order attached hereto, granting SAP's motion to exceed the page limitation on memoranda for dispositive motions. In support of this motion, counsel for SAP state as follows:

- 1. This civil action is a complex case involving a software implementation.
- 2. SAP is facing Plaintiff's claims of fraud and breach of warranty, as well as cross-claims of indemnity asserted by Defendants LSI-Lowery Systems, Inc. and The IBIS Group, Inc. (collectively "LSI").
 - 3. In addition, SAP has asserted counter-claims of indemnity.
- 4. SAP is in the process of preparing its reply to Hodell's opposition to SAP's motion for summary judgment.
- 5. SAP hopes to stay within the 30-page limit for dispositive motion memoranda in complex cases, but that may not be possible given the length of Hodell's response to the motion.
- 6. Further, due to the extensive amount of information cited in Hodell's response, SAP must clarify the facts set forth in the record of this case.

- 7. Accordingly, SAP requests permission to submit a reply memorandum in further support of its summary judgment motion that is not more than thirty-five (35) pages in length.
- 8. SAP has conferred with the other parties regarding this motion. Plaintiff Hodell-Natco and the LSI Defendants do not object to SAP's motion to exceed the page limitation.

WHEREFORE, the SAP Defendants request that this Court enter an order in the form attached hereto, granting permission to exceed the page limit for dispositive motion memoranda.

Respectfully submitted,

/s/ Charles W. Zepp

Leo M. Spellacy, Jr. (0067304) Charles W. Zepp (0068129) PORTER WRIGHT MORRIS & ARTHUR LLP 925 Euclid Avenue, Suite 1700 Cleveland, OH 44115-1483 (216) 443-9000 / Fax (216) 443-9011 czepp@porterwright.com

/s/ Gregory J. Star

Michael J. Miller (admitted pro hac vice)
Gregory J. Star (admitted pro hac vice)
Drinker Biddle & Reath LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103-6996
Telephones (215) 088 2700

Telephone: (215) 988-2700 Facsimile: (215) 988-2757

Attorneys for SAP America, Inc. and SAP AG

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of October 2012, a copy of the foregoing Motion to Exceed was filed electronically. Parties may access this filing through the Court's electronic filing system.

/s/ Macavan A. Baird
Macavan A. Baird (admitted *pro hac vice*)